



DEPARTMENT OF STATE
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 MEMORANDUM FOR MR. HENRY A. KISSINGER
 THE WHITE HOUSE

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 Attention MRS MULLETT
 Keep this study together.

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 Subject: Next Steps with Respect to the ABM
 Treaty and the Interim Agreement

On August 3, 1972 the Senate gave its advice and consent to ratification of the Treaty between the U.S. and the U.S.S.R. on the Limitation of Anti-Ballistic Missile Systems (ABM). This leaves three remaining steps to be taken regarding that Treaty, namely:

1. Signature by the President of his ratification of the treaty. While this can be done without regard to Soviet action on the treaty, the customary practice is to await an indication of the other side's readiness to proceed. (So far as the Soviet Government is concerned, we believe that ratification could be arranged at any time the government chooses.)
2. Exchange of the U.S. ratification for the U.S.S.R. ratification.
3. Proclamation of the treaty by the President.

The steps to be taken with respect to the ABM Treaty should in part follow and in general parallel the steps remaining to be taken with respect to the Interim Agreement. Once the Senate and the House approve S.J. Res. 241, authorizing the President to approve the Interim Agreement, the next steps are:

1. Signature by the President of S.J. Res. 241.
2. Signature by the President of the U.S. written notice of acceptance of the interim Agreement (called for by Article VIII.)

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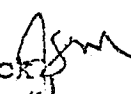
3. Exchange of the U.S. and the U.S.S.R. written notices of acceptance of the Interim Agreement. (Under Article VIII of that Agreement the exchange of the notices is to take place simultaneously with the exchange of instruments of ratification of the ABM Treaty.)

The ABM Treaty does not specify where instruments of ratification are to be exchanged nor does the Interim Agreement specify where the written notices of acceptances are to be exchanged. It is customary when a treaty is signed in the capital of one country to exchange ratification in the capital of the other country. Therefore the ratifications and written notices of acceptance should be exchanged in Washington as the treaty and agreement were signed in Moscow.

It would be appropriate to hold a public ceremony for any or all of the above mentioned steps.


Robert H. Miller
Acting Executive Secretary

L:L/T:CIBevans:jnp

Clearance: EUR/SOV - Mr. Matlock 
ACDA - Mr. Hancock 

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